

**Draft Summary of Cultural Resources Work Group Meeting
Oroville Facilities Relicensing (FERC Project No. 2100)
August 28, 2001**

The Department of Water Resources (DWR) hosted the Cultural Resources Work Group meeting on August 28, 2001 in Oroville.

A summary of the discussion, decisions made, and action items is provided below. This summary is not intended to be a transcript, analysis of the meeting, or to indicate agreement or disagreement with any of the items summarized, except where expressly stated. The intent is to present a summary for interested parties who could not attend the meeting. The following are attachments to this summary:

Attachment 1	Meeting Agenda
Attachment 2	Meeting Attendees
Attachment 3	Flip Chart Notes
Attachment 4	Revised Issue Sheets – August 28, 2001

Introduction

Attendees were welcomed to the Cultural Resources Work Group meeting and objectives were discussed. The meeting agenda and a list of meeting attendees and their affiliations are appended to this summary as Attachments 1 and 2, respectively. Meeting flip chart notes are included as Attachment 3.

Action Items – July 24, 2001 Cultural Resources Work Group Meeting

A summary of the July 24, 2001 Cultural Resources Work Group meeting is posted on the project web site. The Facilitator reviewed the status of action items from that meeting as follows:

Action Item #C21:	Finalize fluctuation zone study plan and present to Plenary Group for approval at their August 30 meeting.
Status:	A discussion of the Fluctuation Zone Study Plan is included as part of this agenda.
Action Item #C22:	Request the Plenary Group remove any references to specific locations of cultural sites from Scoping Document 1.
Status:	Dale Hoffman-Floerke of DWR reported that Leslie Steidl of DPR reviewed the Issue Sheets, identified four places where specific site locations are used, and provided alternative language. Dale added that DWR staff has changed the information on the relicensing web site. To protect the location of sensitive sites in new or revised documents, DWR has coded specific locations into one of seven area codes. The codes, not the specific location will be noted in the document. Dale reported that changes to the administrative draft of Scoping Document 1 were not finished before the document was released to the Plenary Group. Dale added that DWR has already made the requisite changes to the public draft of SD1, which is scheduled for release in late September.
Action Item #C23:	Revise Issue Sheets to include participants' comments on resource goals, information needs and existing information.
Status:	Janis Offermann reported that minor input was received on Existing Information and Information Needs. Review of the revised Issue Sheets is included as part of this agenda.
Action Item #C24:	Remove any reference to specific locations of cultural sites from relicensing Web Site, and other public documents.
Status:	Include in update of the status of CR22.

Fluctuation Zone Task Force Report – Study Plan

Janis Offermann of DWR reported that the Fluctuation Zone Task Force met on August 17 to discuss the draft Fluctuation Zone Study Plan prepared by DWR based on Task Force comments. Janis added that Eric Ritter of the BLM had provided recommendations for ground survey methodologies, which were incorporated in the draft Study Plan. During the Task Force meeting, participants had few comments regarding study methods. Tribal members of the Task Force agreed to get approval from their councils to begin studies in the fluctuation zone. Janis closed by informing the Cultural Resources Work Group that training sessions would soon be scheduled for tribal members interested in participating in the cultural resource surveys.

Eric Ritter proposed that the scope of surveys being considered by the Fluctuation Zone Task Force include lands outside of the fluctuation zone that are under consideration as part of a land transfer from BLM to the State. He added that doing the surveys at this time would save money and could expedite the transfer. Dale Hoffman-Floerke responded that if the lands were tied to relicensing, the surveys would be done as part of that process. If the lands were not tied to relicensing, then it would be BLM's responsibility to complete the surveys.

Craig Jones of the State Water Contractors asked how he could submit comments on the draft Fluctuation Zone Study Plan to the Task Force. He asked when the Study Plan would be submitted for Plenary Group approval. Dale Hoffman-Floerke responded that DWR had determined that Plenary Group approval is not required for the Fluctuation Zone Study Plan, but input on the draft would be taken. Janis Offermann added that the Task Force had been tasked with providing the primary input to the draft Study Plan and copies were sent out to anyone who requested them and comments solicited.

Ken Kules of the Metropolitan Water District asked about survey methodology and timing. Janis Offermann responded that a 100% survey of the area identified within the fluctuation zone is the goal of the Study Plan, but the exact methodology has not been determined. The Task Force expects the survey to take from 45 to 60 days to complete.

One participant suggested that a local historian should be on the Fluctuation Zone Task Force to bring that perspective to the Study Plan development process. David Dewey, representing the Butte County Historical Society indicated he would be happy to provide his perspective to the Task Force.

Report on Bob Thorne's Site Visit

Mark Selverston of the consulting team provided an update on Bob Thorne's visit to the Oroville Facilities. Dr. Thorne is an expert on the mechanics of site stabilization and protection, and was engaged by DWR to help address concerns brought up by some Cultural Resources Work Group members, and to provide technical advice on cultural resource degradation in the fluctuation zone. Dr. Thorne has worked on projects throughout the nation, including western locations such as the Pit River. Dr. Thorne identified a number of possible factors impacting cultural resources in the fluctuation zone including vandalism, alternating cycles of exposure and inundation, wind and wave damage, and facilities operation. He also identified several techniques for mitigating these actions including selective vegetation cover in the fluctuation zone, specialized signage, capping sites, rip-rap, strategic partnering with USFS to promote more aggressive prosecution of vandals, and improved facilities operation. Finally, he provided DWR a schematic showing how to develop effective solutions in a comprehensive management plan. Dr. Thorne is assisting DWR in the preparation of a general, informational report that will be the first step in determining what information is needed to develop a comprehensive management plan specific to the Oroville Project.

In response to Dr. Thorne's suggestion regarding increased penalties for looting cultural sites, Leslie Steidl, representing DPR, requested that information regarding a potential Memorandum of Agreement between DWR and USFS be developed and brought to the Cultural Resources Work Group for consideration, based on an MOU that the NPS uses. The MOA could potentially bring Federal penalties for vandalism to Oroville sites.

Issue Sheet Development Update

The Cultural Resources Work Group reviewed draft Issue Sheets revised by the consulting team, including comments made by participants at last month's Cultural Resources Work Group meeting and written comments provided directly to DWR.

The Facilitator reviewed the status of Issue Sheet development since the last meeting. Issue Sheets CR1 to CR4 are shown in redline/strikeout format. She suggested everyone focus on developing the Level of Analysis (LOA) section of the Issue Sheets at this meeting. She described LOA as a summary of how needed information would be acquired that acts as a bridge from the Issue Sheets to the Study Plans. For example, the Information Needed in an Issue Sheet may indicate a literature search; other information needs may require field surveys. Steve Nachtman added that the LOA provides a scale for the level of effort that will be required in a study plan. The Cultural Resources Work Group agreed to develop the LOA for each Issue Sheet during this meeting.

The Cultural Resources Work Group reviewed, revised and completed Issue Sheets CR1, CR2, CR3 and CR4. The revised Issue Sheets are appended to this summary as Attachment 4. The following paragraphs summarize additional comments or discussions beyond the revisions reflected in Attachment 4.

CR1

One participant asked that the Information Needs clearly state that this issue statement does not include development of new collections but rather addresses existing collections, including those held in West Sacramento. Dale Hoffman-Floerke agreed to state that and pointed out that this Issue Sheet addresses existing information and includes incomplete reports generated at the time of dam construction. This includes information on remains and artifacts that were removed to Sacramento and may be repatriated during the relicensing. Dale emphasized that repatriation is an important issue that DWR wants to assist in getting addressed but it is separate from the relicensing effort. Progress toward repatriation should continue on a separate track and not be delayed by relicensing. Although there will be overlap and integration between the two processes, all the issues included in repatriation should not depend on agreements made during relicensing. One participant asked that DWR put their commitment to a timely repatriation effort in writing. Dale declined until more is known about the process but offered to share a letter written by DWR to the recognized tribes describing their intentions for repatriation.

CR3

Eric Ritter asked if DWR could be tasked with providing a sensitivity model for managing project lands and coordinate with the City and County regarding their impacts to Cultural Resources. Eric referenced growth trends in the areas adjacent to the project and their impacts on Cultural Resources. Adrian Praetzellis of the consulting team responded that the Cultural Resources Management Plan (CRMP) does not have anything to do with city or county planning. The CRMP is a guidance document for the agencies that are responsible for managing lands associated with the facility. Helen McCarthy added that this type of planning and research is typically beyond the scope of most cultural resources investigations. Steve Nachtman added that there might be overlap with some of the growth analyses suggested by the Recreation and Socioeconomics Work Group. Coordination between Work Groups will be addressed once the study lists are completed.

Next Steps – Study Plan Development

Cultural Resources Work Group considered a number of options to begin Study Plan development. They agreed on a three-step process: a) prepare list of studies; b) identify coordination needs with other Work Groups; and c) prepare draft study plans. Participants agreed to task DWR staff and the consultants to begin the process by completing 'a' and 'b'. The consultants were asked to confer with tribal leaders, local historians and other sources that may be helpful in developing a comprehensive list of study requirements.

APE Language

The Cultural Resources Work Group also asked that draft language addressing the APE be prepared for their consideration at their next meeting. Dale responded that the DWR staff was discussing the APE with individuals who had already provided comment. DWR staff will bring the results of these discussions to the next Cultural Resources Work Group meeting.

Next Meeting

The Cultural Resources Work Group agreed to meet again:

Date: Tuesday, September 25, 2001
Time: 5 to 9 p.m.
Location: Berry Creek Rancheria

The Cultural Resource Work Group meeting adjourned at 9 p.m.

Agreements Made

1. The Cultural Resources Work Group agreed to task DWR staff and the consulting team with developing a list of potential studies and a list of issues for coordination with the other Work Groups. The list will be reviewed at the next Cultural Resources Work Group meeting.
2. The Cultural Resources Work Group agreed to table the discussion of the State Historic Preservation Office for their next meeting.

Action Items

The following list of action items identified by the Cultural Resources Work Group includes a description of the action, the participant responsible for the action, and due date.

Action Item #C25: Investigate potential for a Memorandum of Agreement (MOA) between DWR and USFS to apply federal laws to acts of looting and vandalism.

Responsible: DWR Staff/Consulting team

Due Date: September 25, 2001

Action Item #C26: Prepare for Cultural Resources Work Group review a list of potential studies and a list of cultural resources issues that would need to be coordinated with the other Work Groups.

Responsible: DWR staff/Consulting team

Due Date: September 18, 2001

Action Item #C27: Prepare for Cultural Resources Work Group review revised APE description.

Responsible: DWR staff/Consulting team

Due Date: September 25, 2001